

AMENDMENTS TO THE DRAWINGS:

The new drawing sheet in the Appendix includes new Figure 5. Figure 5 shows the device in an open position. No new matter has been entered.

REMARKS

A new drawing has been added that shows the device in an open position, as requested in the Official Action. The Official Action objects to the drawings for not showing the opening in the bearing having in the horizontal direction a dimension smaller than that of the inner diameter of the cylindrical hole (as in claim 14, last 3 lines of the fourth paragraph). However, this feature is shown in Figure 3. The bearing 10a has an opening 19 and the bearing 10a also has an inner diameter that defines the cylindrical hole. Note that in the horizontal direction the opening 19 is smaller than that of the inner diameter of the cylindrical hole.

The indication that claim 10 has been allowed and that claim 17 includes patentable subject matter is acknowledged with thanks.

Claims 14-16 and 18-20 were rejected as unpatentable over WEISS 5,636,564.

The Official Action states that the reference does not disclose the opening in the horizontal direction having a dimension smaller than that of the inner diameter of the cylindrical hole but asserts that changing the form or shape of a prior art part is within the skill of an ordinary person in the art absent any showing of unexpected results, citing In re Dailey and Eilers, 149 USPQ 47, CCPA 1966.

Initially, it is to be noted that this case does not hold that absent any showing of unexpected results, changing the form or shape of prior art parts is within the skill of an ordinary person in the art. The case concerns the patentability of a baby bottle nipple that is collapsible so that air is not admitted as the contents are drained. The Court states that the primary reference discloses that the flexible portion of its container is drawn into the rigid top portion, filling the space thereof, and that the Appellants presented no argument which convinced the Court that the particular configuration of the claimed container is significant or is anything more than one of numerous configurations a person of ordinary skill in the art would find obvious for the purpose of providing mating surfaces in the collapsed container of the prior art. In other words, the operation of the device did not change as a result of the change of shape; both shapes provided mating surfaces in the collapsed container.

However, in the present application the change in form or shape (actually in the relative sizes) of the opening and hole does change the operation of the device. As is apparent from Figure 1 of WEISS, the two halves of the device can be lifted from the support no matter which half of the device is on top because the opening and the inner diameter of the hole are the same size. By contrast, claim 14 provides that the opening in the horizontal direction has a dimension smaller than that of the

inner diameter of the cylindrical hole, which means that the locking element prevents the bottom half from being lifted from the support when the bottom half is on top as is apparent from Figure 3. In other words, the operation of the device changes because of the above-cited limitation. This change in operation is not expected as nothing in the reference suggests it. Accordingly, the cited case is not relevant; and there must be some motivation or suggestion in the art to make the change to WEISS defined in claim 14.

There is nothing in WEISS or in the art of record that suggests any improvement, indeed not the present improvement, is achievable from a change in relative shapes of the opening and the hole and thus the claims avoid this rejection under §103.

New claim 21 has been added that further defines the releasable lock and allowance with claim 14 is respectfully requested.

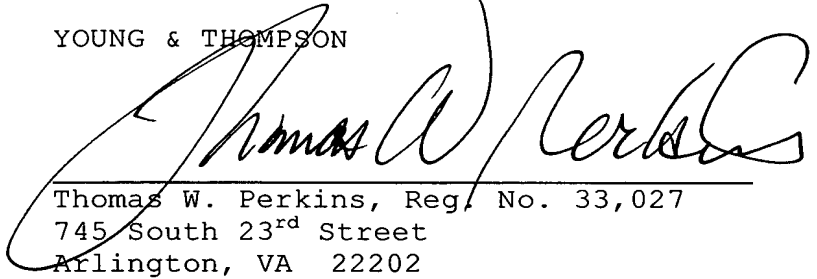
In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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TWP/lk

Appendix:

The Appendix includes the following item:

- one new drawing sheet